

13

LUC-466/ Florkey 16-10-24

**REMARKS**

Claims 1-29 are pending in the application. Claims 1, 18 and 25-26 were rejected under 35 U.S.C. § 102 (b). Claims 2-17, 19-20 and 22-24 were rejected under 35 U.S.C. § 103 (a). Claims 22-23 were rejected for double patenting.

**Double Patenting Rejection**

Claims 22-23 were rejected for double patenting because the Office Action alleges that claims 22-23 are a substantial duplicate of claim 24.

Applicants have responded by amending claim 24.

**Rejection Under 35 U.S.C. § 102 (b)**

Claims 1, 18 and 25-26 were rejected under 35 U.S.C. § 102 (b) as being anticipated by U. S. Patent Number 6,266,405 issued to Madour on July 24, 2001.

Applicants have avoided this ground of rejection for the following reasons.

First, applicants' claim 1, as amended, now recites,

"one or more provisioning components, that run on a hardware component, the one or more provisioning components being operable to initiate requests to port a directory number for a duration of time, receive updates for one or more directory numbers ported to a network, and notify a subscriber database of the directory number to port for the duration of time; and

a portability component that runs on a hardware component automatically updates the one or more provisioning components to port the directory number for the duration of time, wherein the portability component communicates with a management component through employment of one or more protocols to update one or more local number portability databases, at least one of the one or more protocols being a Simple Network Management Protocol (SNMP)."

Madour does **not** teach these limitations. This is because Madour does **not** teach a "provisioning component" with functions as recited in applicants' claim 1. A "provisioning component", as recited in claim 1, a) initiates requests to port a directory number for a duration of time to the portability component, b) receives updates from the

portability component for one or more directory numbers ported to the network, and c) notify the subscriber databases of the directory number to port for the duration of time. Since Madour does not define a component with such functions, Madour is missing the "provisioning component", as recited in applicants' claim 1.

Second, Madour does not teach a Simple Network Management Protocol (SNMP). Instead, Madour discloses IP, SIP, H.323, PPP, GSM, MAP and ISUP protocols. Thus, Madour is missing the SNMP element, as recited in applicants' claim 1.

In view of the foregoing, applicants submit that Madour does not describe each and every element of claim 1, and therefore claim 1 is not anticipated by Madour. Since claims 2-17 and 22-26 depend from allowable claim 1, these claims are also allowable over Madour.

Independent claims 18 and 21 each have a limitation similar to that of independent claim 1, which was shown are not taught by Madour. For example, claims 18 and 21 recite, "wherein the one or more provisioning components initiate requests to port the directory number for a duration of time, receive updates for one or more directory numbers ported to a network, and notifies a subscriber database of the directory number to port for the duration of time". Madour does not teach these limitations for the above-mentioned reasons. Therefore, claims 18 and 21 are likewise allowable over Madour. Since claims 19-20 depend from claim 18, these dependent claims are also allowable over Madour.

#### Rejections Under 35 U.S.C. § 103 (a)

##### Rejection of Claims 22-24 Under Madour, Mazzearella and Moss

Claims 22-24 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Madour in view of U. S. Patent Number 6,819,921 issued to Mazzearella et al. on November 16, 2004 and in view of U. S. Patent Number 6,785,372 issued to Moss on August 31, 2004.

Applicants respectfully traverse this ground of rejection for the following reasons.

The Final Office Action suggests that there is a motivation to combine Madour with Moss —namely, to enhance the customer service quality by providing the feature of

porting a directory number for any service period length as desired. However, applicants respectfully submit that the teachings in Madour and Moss provide no basis to conclude that a person of ordinary skill in the art would use Moss' techniques to facilitate Madour's arrangement to arrive at the subject matter of applicants' claim 1, so the combination is improper.

Specifically, each reference addresses a problem so different from the one addressed by the other reference that the respective teachings provide no motivation for the person of ordinary skill to combine them.

More specifically, Madour addresses the problem of extending the application of the number portability database to permit a subscriber to change from one Internet access provider to another access provider without changing the subscriber's Internet IP address and/or domain name. In Madour, the problem is addressed by a) initiating a call from a first subscriber in a call-originating domain to a second subscriber in a data communications domain; b) transmitting a first message from a first node in said call-originating domain to a database in said call-originating domain; c) locating a current data communication network node parameter in said database, wherein said network node parameter is associated with said second subscriber; d) transmitting a second message that includes said located data communication network node parameter from said database to said first node; e) routing said call from said first node to a data communications address indicated by said located data communication network node parameter; and f) updating said database when said second subscriber changes membership from a first communication network provider to a data communication network provider.

By contrast, it appears that the problem being addressed by Moss is the need to provide an improved technique for implementing prepaid dialtone services. In Moss, the problem is addressed by receiving a telephone call directed to a called party from the subscriber at a first network element; communicating a local telephone call request from the first network element to a second network element; determining if a maximum number of local telephone calls has been completed by the subscriber within a predetermined time period; instructing the first network element to connect the telephone call to the called party if the subscriber has not exceeded the maximum

number of local telephone calls within the predetermined time period; initiating a notification timer in the second network element; and disengaging the second network element from the telephone call upon expiration of the notification timer.

Also, each reference addresses services so different from the services addressed by the other reference that the respective teachings provide no motivation for the person of ordinary skill to combine them.

Madour provides portability of Internet addresses across telecommunications and data communication networks. By contrast, Moss provides prepaid dialtone service to subscribers of a wire-line network.

Furthermore, each reference addresses subscribers so different from the subscribers addressed by the other reference that the respective teachings provide no motivation for the person of ordinary skill to combine them.

Madour mentions wireless subscribers only. By contrast, Moss addresses the needs of wire-line subscribers, i.e., a subscriber having a telecommunications device connected to a subscriber line and in communication with a telephone network via the subscriber line, as stated in claim 1 of Moss.

Still further, each reference addresses protocols so different from the protocols addressed by the other reference that the respective teachings provide no motivation for the person of ordinary skill to combine them.

Madour discloses IP, SIP, H.323, PPP, GSM, MAP and ISUP. By contrast, Moss discloses signaling system 7 (SS7).

Accordingly, one of ordinary skill in the art would not be motivated to combine a solution that provides 1) extending the application of the number portability database to permit a subscriber to change from one Internet access provider to another access provider without changing the subscriber's Internet IP address and/or domain name with 2) an improved technique for implementing prepaid dialtone services in a wire-line network.

Furthermore, Madour makes no mention of prepaid dialtone service to subscribers of a wire-line network, nor is there a teaching in Madour to suggest that there would be an improvement in Madour's technique for extending the application of the number portability database to permit a subscriber to change from one Internet

access provider to another access provider without changing the subscriber's Internet IP address and/or domain name with Moss' prepaid dialtone service to subscribers of a wire-line network. Since the teachings of Madour adequately address the problem of extending the application of the number portability database to permit a subscriber to change from one Internet access provider to another access provider without changing the subscriber's Internet IP address and/or domain name, there is no motivation to combine Madour with Moss' teachings. Given that Madour technique does not suffer from the problems that Moss addresses, one of ordinary skill in the art would not be led to try to improve Madour's technique with Moss' teachings.

Thus, one of ordinary skill in the art would not be motivated to modify Madour with Moss' teachings. Consequently, applicants respectfully submit that the Examiner is relying on the use of impermissible hindsight in an attempt to reconstruct applicants' teachings by combining Madour with Moss. Accordingly, applicants submit that the combination and resultant rejection are improper.

In view of the foregoing, claims 22-24 are believed to be allowable over the proposed combination of Madour, Mazzarella and Moss.

Rejection Under Madour, Mazzarella, Moss and Petrunka

Claims 2-17 and 19-20 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Madour in view of Mazzarella and in view of Moss.

Claim 21 was rejected under 35 U.S.C. § 103 (a) as being unpatentable over Madour in view of U. S. Patent Number 6,584,193 issued to Petrunka on June 24, 2003.

Applicants respectfully traverse these grounds of rejection.

These rejections are based on the rejection under Madour, Mazzarella and Moss being proper. As that ground of rejection has been overcome, and none of the cited references teach or suggest "one or more provisioning components, that run on a hardware component, the one or more provisioning components being operable to initiate requests to port a directory number for a duration of time, receive updates for one or more directory numbers ported to a network, and notify a subscriber database of the directory number to port for the duration of time", as recited in applicants' independent claim 1, or "wherein the one or more provisioning components initiate

18

LUC-466/ Florkey 16-10-24

requests to port the directory number for a duration of time, receive updates for one or more directory numbers ported to a network, and notifies a subscriber database of the directory number to port for the duration of time" as recited in applicants' independent claims 18 and 21, the combination of Madour, Mazzarella, Moss and Petrunka does not supply these missing elements. Thus, this combination does not make obvious any of applicants' claims, all of which require the aforesaid limitations.

#### New Claims

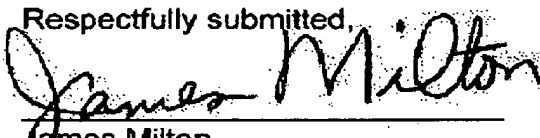
New claims 27-29 have been added. Claims 27-29 provide limitations directed to the telephony device. No new matter has been added.

#### Conclusion

It is respectfully submitted that the Office Action's rejections have been overcome and that this application is now in condition for allowance. Reconsideration and allowance are, therefore, respectfully solicited.

In view of the above amendments and remarks, allowance of all claims pending is respectfully requested. If a telephone conference would be of assistance in advancing the prosecution of this application, the Examiner is invited to call applicants' attorney.

Respectfully submitted,

  
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